



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Frederick J. Fritz, Michael H. Tardugno, Reuben Zielinski, and Randall R. Tucker

Application No.: 09/804,982 Group Art Unit: 2643
Filed: March 13, 2001 Examiner: Suhan Ni
Confirmation No.: 2631

Title: HEARING AID WITH TINTED COMPONENTS

| CERTIFICATE OF MAILING OR TRANSMISSION | |
|---|---------------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on: | |
| 4-15-04 | <i>Sharon G. Carlisle</i> |
| Date | Signature |
| Sharon G. Carlisle | |
| Typed or printed name of person signing certificate | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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APR 22 2004

Technology Center 2600

Sir:

Transmitted herewith is a Reply to Restriction Requirement and Amendment for filing in the above-identified application.

[] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.

[] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

(COL. 1)

(COL. 2)

(COL. 3)

| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA |
|--|---|-------|---------------------------------------|------------------|
| TOTAL | 42 | MINUS | * 40 | 2 |
| INDEP | 7 | MINUS | ** 7 | 0 |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | |

* not fewer than 20

** not fewer than 3

SMALL ENTITY

| | RATE | ADDIT. FEE |
|---|-------|---------------|
| X | \$ 9 | \$ |
| X | \$43 | \$ |
| + | \$145 | \$ |

TOTAL = \$ 0

OTHER THAN
SMALL ENTITY

| | RATE | ADDIT. FEE |
|---|-------|---------------|
| X | \$18 | \$ 36 |
| X | \$86 | \$ 0 |
| + | \$290 | \$ 0 |

TOTAL = \$ 36

Please charge Deposit Account No. 08-0380 for the following fees:

| | | | |
|--------------------------|---|----|----------|
| <input type="checkbox"/> | Petition for [] month Extension of Time | \$ | _____ |
| <input type="checkbox"/> | Amendment Fee | \$ | _____ |
| <input type="checkbox"/> | Other Fees: | | |
| | _____ | \$ | _____ |
| | _____ | \$ | _____ |
| | TOTAL: | \$ | <u>0</u> |

A check is enclosed in payment of the following fees:

| | | | |
|-------------------------------------|---|----|-----------|
| <input type="checkbox"/> | Petition for [] month Extension of Time | \$ | _____ |
| <input checked="" type="checkbox"/> | Amendment Fee | \$ | <u>36</u> |
| <input type="checkbox"/> | Other Fees: | | |
| | _____ | \$ | _____ |
| | _____ | \$ | _____ |
| | TOTAL: | \$ | <u>36</u> |

☒ A general authorization is hereby granted to charge Deposit Account No. 08-0380 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Erik L. Ence
Erik L. Ence
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Dated: April 15, 2004

2643/\$
✓

10/B

5-24-04
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Application No.: 09/804,982

Group: 2643

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For: Hearing Aid with Tinted Components

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REPLY TO RESTRICTION REQUIREMENT AND AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Restriction Requirement dated March 16, 2004, the claims of Group I (Claims 1-14) drawn to the structures/structural elements of a shell for a hearing aid are elected for prosecution. Applicants reserve the right to file a continuing application or take such other appropriate action as deemed necessary to protect the non-elected inventions. Applicants do not hereby abandon or waive any rights in the non-elected inventions.

Please amend the application as follows: